

REMARKS

Claims

Claims 1-9, 11-12, 15-25, and 29-35 were pending in the application. Claims 1, 11, 15-17 and 29-33 have been amended. Claims 1-9, 11-12, 15-25, and 29-35 accordingly remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Amendments to the Drawings

Applicant respectfully requests the addition of FIG. 3D as provided in the replacement sheet. Applicant respectfully submits no new matter has been added. Support for FIG. 3D may be found, for example, in the specification at page 9, lines 23-28.

Further, Applicant respectfully requests FIG. 2A be replaced with the new replacement sheet.

Amendments to the Specification

Applicant respectfully requests the Specification be amended as noted above. Applicant respectfully submits no new matter has been added.

Drawings

The Examiner objected to the drawings under 37 C.F.R. 1.83(a) for failing to show:

- a) “the opening configured to receive a handle”; and
- b) “loops and/or partial loops”.

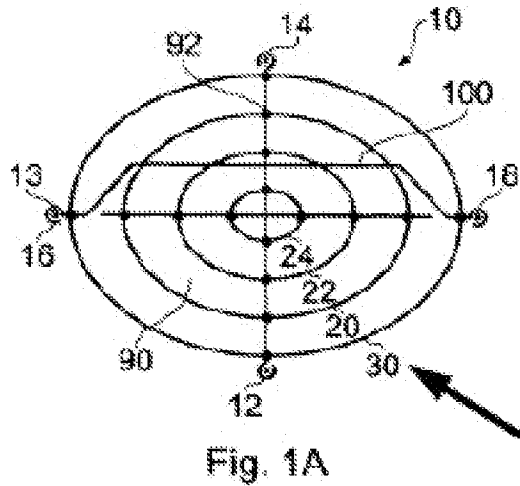
a) **“the opening configured to receive a handle”**: Applicant respectfully notes the Specification, for example, on page 9 lines 23-28 describes an embodiment of opening 94 as including outermost ring 48, struts 60 and 62 and portions of the outermost ring 48 proximal the mounting formations 68 and 72. Further, as noted, for example, in the in the specification on page 10, lines 8-13 and shown in FIG. 3B:

The opening 94 in the substantially planar portion 90 of the grill 10 is provided with the intention that a number of grills 10 such as that described here may be stacked in a space efficient manner. The opening 94 and the handle 100 are arranged such that when two or more grills 10 are stacked together, the handle of each grill 10 can pass through the opening of the next grill 10 in the stack. This arrangement is shown in Figure 3B. (Specification, page 10, lines 8-13).

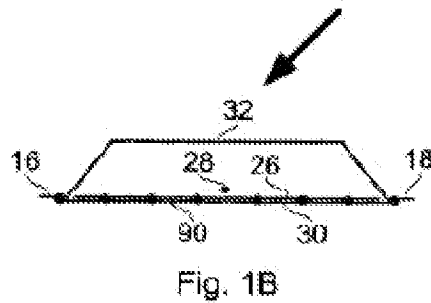
As shown in FIG. 3B, the handles may be stacked in a formation which does not include the central strut shown in FIG. 1A. Therefore, Applicant respectfully submits that, for example, FIGs. 3B, 3C, 4, and 5 show embodiments of the “opening 94 and the handle 100 are arranged such that when two or more grills 10 are stacked together, the handle of each grill 10 can pass through the opening of the next grill 10 in the stack” as noted in the specification. Applicant respectfully submits new FIG. 3D, supported, for example, by the specification page 9, lines 23-28, also shows an embodiment.

b) “loops and/or partial loops”: The Examiner objects to the drawings for failing to show loops and/or partial loops. Applicant respectfully disagrees. The drawings show embodiments of loops and partial loops – for example:

i) “A substantially planar portion 90 of the grill 10 comprises **four loops 20, 22, 24 and 30...** (emphasis added)” (Specification, page 7, lines 15-16). An example embodiment is shown in FIG. 1A:



ii) “The handle 100 in this example comprises a piece of **wire 32, shaped so as to form a partial loop**, the ends of which are attached 92 to outermost loop 30. (emphasis added)” (Specification, page 8, lines 28-29). An example embodiment is shown in FIG. 1B:



iii) “Each of the mounting **formations 12, 14, 16 and 18** can comprise a piece of wire with a first portion which extends linearly away from the substantially planar portion and a second portion which is shaped to form **a partial loop**. (emphasis added)” (Specification, page 9, lines 4-6). An example embodiment is shown in FIG. 1A:

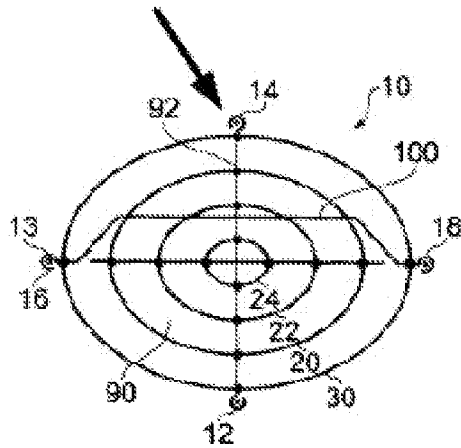


Fig. 1A

iv) “Here the substantially planar portion 90 comprises **three loops 34, 36 and 38** and a single strut 40.” (Specification, page 9, lines 14-15). An example embodiment is shown in FIG. 2A:

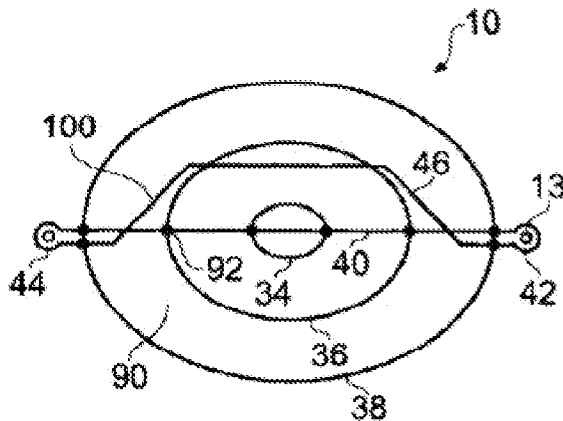


Fig. 2A

Applicant respectfully submits other examples of loops and partial loops are provided in the specification and figures. In parenthesis, the Examiner has indicated “(figures 4 and 5)”. It is unclear what the Examiner is indicating in this portion of the rejection. Applicant respectfully notes, as indicated in the specification: “In Figures 4 and 5, the details of the construction of the substantially planar portions 90 have been omitted for clarity. It is envisaged that the handles

described in Figures 4 and 5 may be incorporated into the embodiments such as those shown in Figures 1, 2 and 3. (Specification, page 11, lines 12-15).” Applicant respectfully notes the handles shown in Figures 4 and 5 are possible embodiments of handles that may be used in the embodiments shown in Figures 1, 2, and 3. Applicant respectfully requests the Examiner withdraw the objections to the drawings.

35 U.S.C. §102 Rejections

The Examiner rejected claims 1-4, 8, 11, 17, 18, 20, 34, and 35 under 35 U.S.C. 102(b) as being anticipated by Schlosser, et al. (U.S. Patent No. 5,490,452) (hereinafter “Schlosser”).

Applicant respectfully reminds the Examiner that the standard for “anticipation” is one of strict identity. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The **identical invention** must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Schlosser does not disclose, teach, or suggest at least “**a fan housing; a grill mounted on a surface of the fan housing, the grill comprising: a substantially planar portion... wherein the substantially planar portion of the grill comprises an opening configured to receive a handle of a substantially similar grill when two or more substantially similar grills are stacked**, apart from their respective fan housings, such that the substantially planar portions of the stacked grills are substantially parallel when the grills are stacked” as recited in claim 1. Applicant respectfully submits claim 1 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claim 1 and claims dependent thereon.

35 U.S.C. §103 Rejections

Claims 5, 6, 9, 12, 15, 16, 19, 21, 22-25, and 29-33

The Examiner rejected claims 5, 6, 9, 12, 15, 16, 19, 21, 22-25, and 29-33 under 35 U.S.C. 103(a) as being unpatentable over Schlosser in view of Bull, et al. (U.S. Patent No. 5,822,186) (hereinafter “Bull”).

Schlosser and Bull do not disclose, teach, or suggest, either separately or in combination, at least “wherein the handle comprises a first piece of wire extending in a loop or partial loop away from said substantially planar portion; wherein said handle comprises at least one additional piece of wire, each additional piece of wire being shaped such that it is substantially parallel to said first piece of wire over the length of that additional piece of wire” as recited in claim 29. The Examiner does not provide any location in the reference for at least this teaching. As stated in MPEP §2141:

The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR* noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Court quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), stated that “[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *KSR*, 550 U.S. at ___, 82 USPQ2d at 1396.

Furthermore, while the Examiner points to the rejection of claim 9 that states: “...it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper co. v. Bemis Co.*, 193 USPQ 8 (Office Action mailed 5/01/08, page 12),” Applicant respectfully asserts the elements of claim 29 noted above are not a “mere duplication.” The noted element of claim 29 recites a construction of a handle comprising multiple pieces of wire along with shapes and placements of the wires. Applicant respectfully asserts that a claim is not obvious based solely on the grounds that it includes two or more similar parts. Applicant

respectfully notes the Examiner has not provided any location in the references for the teaching of this element and Applicant respectfully asserts the cited art does not disclose, teach, or suggest at least “wherein the handle comprises a first piece of wire extending in a loop or partial loop away from said substantially planar portion; wherein said handle comprises at least one additional piece of wire, each additional piece of wire being shaped such that it is substantially parallel to said first piece of wire over the length of that additional piece of wire” as recited in claim 29. Applicant respectfully submits claim 29 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claim 29 and claims dependent thereon.

Schlosser and Bull do not disclose, teach, or suggest, either separately or in combination, at least “a handle extending out of the substantially planar portion so as to extend away from the surface of the fan housing when the grill is mounted thereon; and one or more mounting formations for mounting the grill on the fan housing; wherein the at least one mounting formation and a portion of said handle are integrally formed from a single piece of shaped wire” as recited in claim 30. The Examiner does not point to any teachings in the cited reference, but instead states: “it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works...* (Office Action mailed 5/1/2008, page 17).” Applicant respectfully notes the Examiner has not provided any teachings in the references for a wire handle portion and a mounting formation formed of wire. Applicant respectfully submits the Examiner has not cited any references which show (and the Examiner has not provided any locations in the references which show) parts that simply need to be put together to form “wherein the **at least one mounting formation** and **a portion of said handle** are integrally formed from a single piece of **shaped wire** (emphasis added)” as recited in claim 30. Applicant respectfully submits claim 30 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claim 30 and claims dependent thereon.

Schlosser and Bull do not disclose, teach, or suggest, either separately or in combination, at least “wherein said substantially planar portion comprises at least one strut, each strut attached to at least one of said loops or partial loops in at least one place; and wherein at least one strut and at least a portion of said handle are integrally formed from a single piece of shaped wire” as recited in claim 32. The Examiner cites the same case as cited in respect to claim 30, however, Applicant respectfully submits the Examiner has not cited any references which show (and the Examiner has not provided any locations in the references which show) parts that simply need to be put together to form “wherein said substantially planar portion comprises at least one strut, each strut attached to at least one of said loops or partial loops in at least one place; and wherein **at least one strut** and **at least a portion of said handle** are integrally formed from a single piece of **shaped wire** (emphasis added)” as recited in claim 32. Applicant respectfully submits claim 32 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claim 32 and claims dependent thereon.

Claims 5, 6, 9, 12, 15, 16, 19, 21, and 22-25, dependent from patentably distinct claim 1, are also believed allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejections to claims 5, 6, 9, 12, 15, 16, 19, 21, and 22-25.

Conclusion

In light of the foregoing amendments and remarks, Applicants submit that all pending claims are in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505\5681-88700.

Respectfully submitted,

/Russell Henrichs/

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